

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ROGER D. LAWSON,

Plaintiff,

v.

ALICIA A. SNEAD,

Defendant.

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Civil Action No. 7:21cv00644

MEMORANDUM OPINION

By: Hon. Thomas T. Cullen
United States District Judge

Plaintiff Roger D. Lawson, a Virginia inmate proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983, against Alicia A. Snead. Lawson seeks leave to proceed *in forma pauperis* with this action. Having reviewed Lawson’s request and second amended complaint, the court grants his request to proceed *in forma pauperis*, but concludes that Lawson has failed to state a cognizable § 1983 claim against Ms. Snead. Accordingly, the court will dismiss this action without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii).

In his second amended complaint, Lawson’s alleges, *in toto*, “[i]t was a[n] indictment under the wrong s[ocial] s[ecurity] n[umber] and [he] was found guilty!” As relief, he asks that Ms. Snead be fired. The court previously advised Lawson that his similarly vague amended complaint (ECF No. 6) failed to state a claim against the defendant and directed him to file a second amended complaint.¹ (*See* ECF No. 10.)

To state a cause of action under § 1983, a plaintiff must allege facts indicating that he has been deprived of rights guaranteed by the Constitution or laws of the United States and

¹ The court notes that his original complaint (ECF No. 1) also provides no context to his claims and does not identify Ms. Snead’s role in any alleged violation of his rights.

that this deprivation resulted from conduct committed by a person acting under color of state law. *West v. Atkins*, 487 U.S. 42 (1988). Despite being given the opportunity to amend his complaint, Lawson still does not allege any facts against or conduct committed by a person acting under color of state law. Therefore, the court concludes that Lawson has failed to state a cognizable § 1983 claim and will dismiss this action without prejudice.

The clerk is directed to forward a copy of this Memorandum Opinion and accompanying Order to Lawson.

ENTERED this 17th day of March, 2022.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE